

**COMMITTEE ON FINANCE**  
**(Standing Committee of Berkeley County Council)**

**Chairman:** Mr. Jack H. Schurlknight, Council Member District No. 6

A **meeting** of the **Committee on Finance**, Standing Committee of Berkeley County Council, was held on Monday, **September 28, 2009**, in the Assembly Room of the Berkeley County Administration Building, 1003 Highway 52, Moncks Corner, South Carolina, at 6:02 p.m.

PRESENT: Chairman Jack H. Schurlknight, Council District No. 6; Committee Member Phillip Farley, Council District No. 1; Committee Member Timothy J. Callanan, Council District No. 2; Committee Member Robert O. Call, Jr., Council District No. 3; Committee Member Cathy S. Davis, Council District No. 4; Committee Member Dennis L. Fish, Council District No. 5; Committee Member Caldwell Pinckney, Jr., Council District No. 7; Committee Member Steve C. Davis, Council District No. 8; County Supervisor Daniel W. Davis, ex officio; Mrs. Nicole Scott Ewing, County Attorney; and Ms. Barbara B. Austin, Clerk of County Council.

In accordance with the Freedom of Information Act, the electronic and print media were duly notified.

*During periods of discussion and/or presentations, minutes are typically condensed and paraphrased.*

Chairman Schurlknight called the meeting to order.

Chairman Schurlknight recognized and welcomed members of the Berkeley County 4-H Club in attendance this night.

Miss Nae Chinnes, 4-H Club Member, gave the Invocation. Miss Breanna Chiocetti, 4-H Club Member, led in the Pledge of Allegiance to the Flag of the United States of America.

**APPROVAL OF MINUTES**

Chairman Schurlknight asked for approval of minutes from meetings of the Committee on Finance held August 10, 2009 and August 24, 2009.

It was moved by Committee Member Pinckney and seconded by Committee Member Farley to **approve the minutes** as presented. The motion passed by unanimous voice vote of the Committee.

## EXECUTIVE SESSION

It was moved by Committee Member Pinckney and seconded by Committee Member Fish to enter into Executive Session to discuss matters relating to the discussion of employment, appointment, compensation, promotion, demotion, discipline or release of an employee, a student or a person regulated by a public body; the receipt of legal advice where the legal advice relates to a pending, threatened or potential claim; other matters covered by the attorney/client privilege; discussions of negotiations incident to proposed contractual arrangements and proposed sale or purchase of property; settlement of legal claims, or the position of the County or its departments or agencies in other adversary situations involving an assertion against the County or its departments or agencies. The motion passed by unanimous voice vote of Council.

The Committee entered into Executive Session at 6:05 p.m.

Committee Member Steve Davis departed from Executive Session at 6:39 p.m.

The Committee returned to Committee Session at 7:10 p.m.

Mrs. Nicole Scott Ewing, County Attorney, reported that the Committee entered into Executive Session for reasons stated in the motion, and no formal action was taken.

Without objection, Chairman Schurilknight adjusted this night's agendas for a presentation of the proposed **proclamation** to the **Berkeley County 4-H Club**.

Supervisor Daniel Davis stated that the proposed proclamation had not been adopted as of yet, but Council would do so during the Regular Meeting of Council to be held later this night.

Supervisor Daniel Davis read the proclamation into the record, as follows:

“Proclamation designating October 4-10 as Berkeley County 4-H Week

WHEREAS, the Berkeley County 4-H Horse Club ‘Horse-N-Around’ has been very active in Berkeley County since 2003; and

WHEREAS, the members of Horse-N-Around have been widely successful in competition at various state and national equestrian events, including winning 1<sup>st</sup> place in South Carolina for two consecutive years for the 4-H Horse Club’s Senior Judging Team; and

WHEREAS, the members of Horse-N-Around have greatly contributed their time and efforts to support local organizations within Berkeley County by collecting supplies to donate to Berkeley County SPCA, raising money for the American Cancer Society Relay for Life Program by sponsoring a trail ride and auction, collecting books for the

Roscoe Reading Program, and preparing totes filled with toiletry items to donate to the Callen-Lacey Home for abused children.

NOW, THEREFORE, BE IT PROCLAIMED by the Berkeley County Council, by and through its Chairman, Daniel W. Davis, that October 4-10, 2009, is hereby proclaimed as 4-H Week in recognition of the outstanding accomplishments of the Berkeley County 4-H Horse Club and their continued support of numerous service organizations throughout the County.

DONE this 28<sup>th</sup> day of September, 2009.”

Supervisor Daniel Davis congratulated the 4-H Club and thanked the group for their community service in supporting organizations within Berkeley County.

**A. Ms. Leonitta Turner, Human Resources Director, re:**

**1. Benefits Update**

Ms. Turner stated that when she started working for Berkeley County approximately one and one-half years ago, one of the major concerns was the cost of health benefits to employees. At that time, Ms. Turner was asked to look at several options for benefit plans. Earlier this year, there were discussions whether the County should stay with the state plan or leave that plan. It was agreed that the County would remain with the state plan, and the new state rates were received in August of this year. In looking at the state plan, there were very little changes that could be made with that plan to assure consistency; however, in looking toward savings for this year, there were three different alternatives for Council to choose from.

Ms. Turner continued by discussing the three options, as follows:

- **Option #1:**
  - Berkeley County remain with benefits at the same rate (current employer portion)
- **Option #2 (Benefits Committee Recommendation):**
  - Look at percentage of cost related to what plans might be in 2010, and to maintain that cost over the next year.
  - This option would then affect what the cost of the plans may be for employees, as well as employer.
- **Option #3 (Staff Recommendation):**
  - Have a cost that would equal what the employer is paying, plus \$100.00.
  - This option would make the standard plan free to employees.

Ms. Turner stated that currently, Berkeley County has four different plans with EIP (Employee Insurance Program), which have been chosen by EIP, as follows:

➤ **Health Savings Account**

- This is a high deductible plan.
- There are no employees under this plan.
- There have been no changes to the plan for this year.

➤ **State Standard Plan (Preferred Provider Organization Account)**

- Plan would allow employees to have the flexibility to go to doctors of their choice in the network, as well as out of the network.
- Costs for care in the network would be cheaper than those out of the network.
- Plan has a larger network, not only within the State of South Carolina, but outside of the state also.
- The deductible with this plan would be \$350 for an employee, \$700 for a family, together with an 80/20 co-pay.
- There have been no changes in the plan for this year.

➤ **HMO: Cigna**

➤ **HMO: Blue Choice**

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- The state has recommended significant changes in these plans, because the cost of HMOs have increased significantly.
- In general, employees have always had to bear some of the costs that the County has had to pay, in addition to family, spouse and employee/child.
- There would not be a co-pay for basic insurance, but there are co-pays for anything over general healthcare (physician visits and mammograms).
- Both plans have a deductible.
- At this time, the County pays a significant amount more for HMOs, when compared with the state's savings and standard health plans for employees, and that amount can differ up to a \$269 swing, when compared with those other plans.

In conclusion, Ms. Turner stated Council Members had three recommendations for their review. All plans would be part of the state plan, but the question before Council would be which one of the three options should be implemented for the County to fund. Open enrollment would be October 1<sup>st</sup>.

Committee Member Callanan questioned for verification if the baseline cost, plus \$100, under Option #3, would be the employer cost, plus \$100.

Ms. Turner responded that to be correct. An example: The state would provide a base rate that the County must pay. It would be \$279.16 for an employee only, \$550.73 for an employee and spouse, \$394.98 for an employee and children, and \$644.74 for employee and full family. It would be recommended that the County pay the base amount, plus \$100.

Committee Member Callanan questioned the increases in cost for premiums per employee compared to last year.

Ms. Turner responded that last year's overall cost for the Standard Plan was \$424.36. Due to the County's experience rating being lower this year, the employer cost decreased to \$385.74. The Standard Plan for employee and spouse, last year was \$723.60, and this year, the County's cost would be \$657.31. The Standard Plan for employee only last year was \$169.82, with this year being \$154.12.

Ms. Turner continued and stated that with the Blue Choice Plan, in 2009, for employee only, the County paid \$489.26. In 2010, for employee only, it would be \$484.29. In 2009, for employee and spouse, \$345.85 would be the employee cost. Cigna has increased more than any other plan with the state.

Committee Member Farley questioned if the \$100 was deducted from the figures quoted this night.

Ms. Turner responded that the \$100 was included in the employer cost figures provided to Council this night.

Ms. Turner continued and stated that even though open enrollment occurred every two years, new rates were given every year.

Mrs. Nicole Ewing, County Attorney, stated for clarification that this information was not provided to Council on an annual basis, because it had always been funded in the same manner. This matter has been presented to Council now, because the Benefits Committee and Staff were recommending changes to the way it had been done in the past.

Committee Member Callanan questioned that if he was on the Standard Plan as an employee if his employee contribution would be \$0.

Ms. Turner responded that to be correct.

It was moved by Committee Member Callanan and seconded by Committee Member Pinckney to **approve** Berkeley County to pay the employer portion of the **state benefit rate**, plus \$100.00 per each employee for the 2010 benefit year, with Council to review in one year. The motion passed by unanimous voice vote of the Committee.

## **2. Grievance Committee Appointment**

Ms. Turner recommended the nomination of Mr. Shaun Bunton, with Public Buildings, to serve on the Berkeley County Grievance Committee, replacing Mr. Russell Jolly, IT.

It was moved by Committee Member Callanan and seconded by Committee Member Fish to **approve the appointment** of Mr. Shaun Bunton, with Public Buildings, to serve on the County's Grievance Committee through April 30, 2010.

**B. Consideration** of the following:

**1. Resolution** providing that under certain conditions, Berkeley County will enter into an **agreement**, pursuant to Title 12, Chapter 44, of the Code of Laws of South Carolina with **Joseph T. Ryerson & Son, Inc.**

It was moved by Committee Member Callanan and seconded by Committee Member Fish to **approve** consideration of the **resolution** providing the County to enter into an **agreement** with **Joseph T. Ryerson & Son, Inc.**

Committee Member Pinckney questioned what this proposed resolution was in regard to.

Mr. Gene Butler, Economic Development Director, responded there to be an existing industry, JM Tull Metals Company in Huger, which was a subsidiary of Joseph T. Ryerson & Son, Inc. JM Tull expanded last year by an approximate \$2,500,000 in facility size. This year, approximately \$4,300,000 would be used to add machinery and equipment. Mr. Butler recommended that a six percent fee on machinery and equipment be offered with the expansion this year.

The motion passed by unanimous voice vote of the Committee.

**2. Resolution** of the County Council of Berkeley County, South Carolina, approving the **assessments** as set forth in the Assessment Roll of the **Jedburg Road Improvement District** and the **Jedburg Road Improvement Plan**, as adopted by County Council in Ordinance Number 09-02-05, pursuant to Title 54, Chapter 35, of the Code of Laws of South Carolina 1976, as amended.

It was moved by Committee Member Callanan and seconded by Committee Member Pinckney to **approve** consideration of the **resolution** approving the **assessments** in the Assessment Roll of the **Jedburg Road Improvement District** and the **Jedburg Road Improvement Plan**. The motion passed by unanimous voice vote of the Committee.

**C. Consideration** prior to **First Reading** of an **ordinance** authorizing the execution and delivery of a fee agreement between Berkeley County, South Carolina, and **Joseph T. Ryerson & Son, Inc.**; and matters relating thereto.

It was moved by Committee Member Farley and seconded by Committee Member Fish to **approve** consideration, prior to **First Reading**, of an **ordinance**

authorizing execution of a **fee agreement** between Berkeley County and **Joseph T. Ryerson & Son, Inc.** The motion passed by unanimous voice vote of the Committee.

**D. Review prior to Second Reading** of the **Bill No. 09-30**, an **ordinance** authorizing the amended and restated **fee-in-lieu** of tax agreement (the ‘amended and restated fee agreement’) by and between Berkeley County, South Carolina, and HW Berkeley Phase II-A, LLC, HW Berkeley Phase II-B, LLC, HW Berkeley Phase II-C, LLC, HLIT IV SC-1, LP, and HLIT IV SC-2, LP, (the ‘parties’), and the bifurcation thereof, the result of which shall be two separate amended and restated fee-in-lieu of tax agreements titled as follows: (1) the amended and restated fee-in-lieu of tax agreement by and between Berkeley County, South Carolina, and **HW Berkeley Phase II-A, LLC, HW Berkeley Phase II-B, LLC, and HW Berkeley Phase II-C, LLC**, (‘phase two’); and (2) the amended and restated fee-in-lieu of tax agreement by and between Berkeley County, South Carolina, and **HLIT IV SC-1, LP, and HLIT IV SC-2, LP**, (‘phase one’), in consideration of additional on-going investment by the company; and other matters relating to the foregoing.

It was moved by Committee Member Fish and Committee Member Callanan to **approve** review, prior to **Second Reading**, of **Bill No. 09-30**. The motion passed by unanimous voice vote of the Committee.

**E. Review prior to Third Reading** of the following:

**1. Bill No. 09-37**, an **ordinance** authorizing the execution and delivery of a **second amendment** to fee agreement between Berkeley County, South Carolina, and **RG-MWV, LLC**; and matters relating thereto.

Chairman Schurilknight stated that **Bill No. 09-37** would be held.

**2. Bill No. 09-39**, an **ordinance** authorizing the conversion of a lease agreement, pursuant to Title 4, Chapter 12, of the Code of Laws of South Carolina 1976, as amended, to a fee agreement, pursuant to Title 12, Chapter 44, of the Code of Laws of South Carolina 1976, as amended, and approving the assignment of the interests of **Pig Center, LLC**, in such converted fee agreement to **JL Woode, Ltd., LLC**, or an entity or entities owned in whole or part by **JL Woode, Ltd., LLC**, or one or more of its principals and subsequent assignments related thereto, including through the use of one or more qualified intermediaries; the entering into of certain agreements including the aforesaid fee agreement; and other matters related thereto.

It was moved by Committee Member Farley and seconded by Committee Member Pinckney to **approve** review, prior to **Third Reading**, of **Bill No. 09-39**. The motion passed by unanimous voice vote of the Committee.

It was moved by Committee Member Callanan and seconded by Committee Member Fish to **adjourn** the meeting of the Committee on Finance. The motion passed by unanimous voice vote of the Committee.

Meeting adjourned at 7:31 p.m.

October 26, 2009  
Date Approved